

**MINUTES OF THE
REGULAR COUNCIL MEETING
CITY OF AUSTELL
MONDAY, FEBRUARY 6, 2006**

Present: Joe Jerkins, Mayor
Kirsten Anderson
Beverly James Boyd
Randy Green
Virginia Reagan
David "Bo" Traylor
Scott Thomas

The regular meeting of the Mayor and Austell City Council was held on February 6, 2006, at 7:00 P.M. at City Hall.

Also present were: Scott Kimbrough, City Attorney; Carolyn Duncan, City Clerk; Sandra Farmer, General Administration/Assistant Director; Brenda Norton, Finance Director; Jim Graham, Community Development Director; Randy Bowens, Public Works Director; Bob Starrett, Police Chief; Tim Williams, Fire Chief.

1. CALL TO ORDER

Mayor Jerkins called the meeting to order. Reverend Doc Frady, Clarkdale Baptist Church, gave the Invocation. Reverend Frady invited the Mayor and Council to attend a gospel singing on March 17, 2006, at 7:00 p.m. as his personal guests at Clarkdale Baptist Church. Mayor Jerkins led the Pledge of Allegiance and then asked if any member of the City Council would like to add items to the agenda. Mayor Jerkins stated he would like to add a Proclamation-Child Safety Week.

Ms. Boyd moved to follow the recommendation of Mayor Jerkins to add the Proclamation-Child Passenger Safety Week to the Agenda. Seconded by Mr. Green. Motion passed (6-0).

Mayor Jerkins stated Ms. Linda Parker was present to receive the Proclamation. Mayor Jerkins presented the Proclamation to Ms. Parker.

Ms. Boyd moved to follow the recommendation to approve and declare February 12, 2006 Child Passenger Safety Week and gives Mayor Jerkins the authority to sign the Proclamation. Seconded by Mr. Traylor. Motion passed (6-0).

Mr. Thomas presented Matt Cabrera his (5) five-year pin for his years of service. Mayor Jerkins presented Merrett Scheufler with a plaque for his (10) ten years of service. Ms. Boyd presented Mr. Scheufler with a (10) ten-year pin for his years of service to the City of Austell.

2. CONSENT AGENDA – INFORMATION AND UPDATE

(No Action required by Council – See Specific Department Director before Meeting.)

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3. CONSENT AGENDA

- A. Approve Bills
- B. Approve Legal Bills \$6,251.04
- C. Approve Minutes of Regular Meeting January 2, 2006

Ms. Boyd moved to follow the recommendation of Mayor Jerkins to approve the Consent Agenda. Seconded by Mr. Traylor. Motion passed (6-0).

4. EXCEPTION TO CONSENT AGENDA

5. CITIZENS REPORT

6. GAS SYSTEM REPRESENTATIVE

JOE JERKINS

Mr. Kimbrough stated he attended the Gas meeting and the new gas rate schedule was adopted.

7. FINANCE DEPARTMENT

BEVERLY JAMES BOYD, CHAIRPERSON

Brenda Norton, Director

- A. Financial Report

8. GENERAL ADMINISTRATION

KIRSTEN ANDERSON, CHAIRPERSON

Carolyn Duncan, Director

- A. No Report

9. POLICE DEPARTMENT

VIRGINIA REAGAN, CHAIRPERSON

Bob Starrett, Police Chief

- A. Police Report
- B. Code Enforcement Report

- C. A-1 Towing – Privilege License

Ms. Reagan stated A-1 Towing has made application with the city for the renewal of their privilege license.

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Since their application was received after the initial deadline for accepting Renewal Privilege License Applications it is the recommendation of the Police Committee to deny this request.

Ms. Reagan moved that the request made by A-1 Towing for a Privilege License be denied. Seconded by Ms. Anderson. Motion passed (5-1), Mr. Traylor voted against.

**10. FIRE DEPARTMENT
SCOTT THOMAS, CHAIRPERSON
Tim Williams, Fire Chief**

A. Fire Report

B. National Incident Management System (NIMS) Resolution

Mr. Thomas stated the Fire Department has a Resolution for the designation of the National Incident Management System (NIMS) as the basis for all incident management in the City of Austell, Georgia. Chief Williams stated (NIMS) is a Federal mandate that all State, local and Federal agencies nationwide to implement an Incident Management System for all governments to work under. This Resolution supports that and has been adopted for the City of Austell so that Police, Fire, Public Safety, Public Works, Community Affairs and government can operate together as well as Mayor and Council and Directors.

Mr. Thomas moved to recommend the approval of the Resolution for National Incident Management System (NIMS). Seconded by Mr. Traylor. Motion passed (6-0).

**11. PUBLIC WORKS DEPARTMENT
DAVID "BO" TRAYLOR, CHAIRPERSON
Randy Bowens, Director**

A. 2006 Wastewater Rate Increase Adjustment

Mr. Traylor stated it is the recommendation of the Public Works Committee to accept the following wastewater rate increases as proposed by Keck and Wood, Inc. The governmental contractual wastewater rate would be increased by one (1) percent per 1,000 gallons. Therefore, the proposed rates would be adjusted upward \$0.03 per 1,000 gallons to recognize the revised Cobb County Water System rates. This increase represents a one (1) percent increase over the increase identified in Cobb County Water Systems' August 2, 2005 letter.

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According to the County’s notification letter, dated January 12, 2006, this addition is needed to cover operational costs not anticipated by the earlier rate increase which cannot be absorbed.

The revised rates should be as follows to become effective April 1, 2006:

	CURRENT	PROPOSED
Inside City (Per 1,000 Gallons)	\$4.86	\$4.89
Outside City (Per 1,000 Gallons)	\$5.12	\$5.15

Austell Box Board Corporation

	CURRENT	PROPOSED
Per 1,000 Gallons	\$4.86	\$4.89

The proposed increases will offset the wholesale increase and include the 120% coverage factor as required by the City’s Bond Ordinance.

Mr. Traylor moved to follow the recommendation of the Public Works Committee to approve the 2006 Wastewater Rate Increase Adjustment. Seconded by Ms. Boyd. Motion passed (6-0).

B. Mulberry Creek Sign Request

Mr. Traylor stated Mr. Lloyd C. Williams, President of the Mulberry Creek Homeowners Association, Inc., has requested the City of Austell install ‘No Outlet’, ‘Children at Play -25 MPH’ and ‘Neighborhood Watch’ signs within Mulberry Creek.

It is the recommendation of the Public Works Committee to install these requested signs.

Mr. Traylor moved to follow the recommendation of the Public Works Committee to approve the Mulberry Creek Sign Request. Seconded by Mr. Thomas. Motion passed (6-0).

**12. PARKS DEPARTMENT
RANDY GREEN, CHAIRPERSON
Jim Graham, Director**

A. Legion Park Light Poles Electrical Service Upgrades

Mr. Green stated The Parks Committee recommends that an additional thirteen thousand, seven hundred-fifty dollars (\$13,750.00) for electrical service upgrades be approved by Mayor and Council for the light poles replacement work at Legion Park (see attached proposal).

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This additional amount will bring the total approved project amount to one hundred thirteen thousand, four hundred fifty-dollars (\$113,450.00). This amount has been pre-approved as a three (3) year pay back loan by Georgia State Bank and will be through 100/6210 Parks Department.

Mr. Green moved to follow the recommendation of the Parks Committee to approve the Legion Park Light Poles Electrical Service Updates. Seconded by Ms. Reagan. Motion passed (6-0).

**13. COMMUNITY DEVELOPMENT
BEVERLY JAMES BOYD, CHAIRPERSON
Jim Graham, Director**

A. New Sign Ordinance Adoption

Ms. Boyd stated the Community Affairs Committee recommends approval of the adoption of Cobb County's Sign Ordinance.

The Planning and Zoning Board reviewed the ordinance and voted 5-0 to recommend approval at their January 17, 2006, meeting.

Ms. Boyd moved to follow the recommendation of the Community Affairs Committee to approve Cobb County's Sign Ordinance. Seconded by Ms. Reagan. Motion passed (6-0).

**B. Request for Modification of Building Stipulations
5896 Mulberry Street**

Ms. Boyd stated the Community Affairs Committee has received a request from Anthony C. Williams to modify Item # 5 of the stipulations set down (see attached minutes) for the single family house he is building at 5896 Mulberry Street.

Mr. Williams is requesting to use siding with brick accents only, on the front portion of his house, instead of the entire front being of the specified brick, stone or stucco. The required shutters will be set in place and he has further agreed to brick the foundation on the right side of the house.

Ms. Boyd further stated that she and Mr. Graham had been out to investigate this location and he had it finished on the front. We felt like the house would look nice with the accents and we asked him to shutter three sides and to do a water table like we put on the other houses and to install a covered entrance.

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This is a design of what we are asking and I will pass along for everyone to review. Mr. Green asked if the siding was hardy-plank and Ms. Boyd answered, yes, it is hardy-board and it has the brick water table with brick down the front and the sides.

Ms. Boyd moved to follow the recommendation of the Community Affairs Committee to accept these changes. Seconded by Ms. Reagan. Motion passed (6-0).

C. Rezoning Request from Speros Investment, Inc.

Ms. Boyd stated the Community Development Department has received a request from Speros Investment, Inc. to rezone from NS – Neighborhood Shopping to PUD – Planned Unit Development. Speros Investment has requested a thirty (30) day postponement.

Ms. Boyd moved to follow the recommendation to approve the thirty (30) day postponement without prejudice. Mayor Jerkins recommended they submit their request on March 6, 2006, which will be the next Council Meeting. Seconded by Mr. Traylor. Motion passed (6-0).

D. Adoption of New Code Compliance Bond Ordinance

Ms. Boyd moved to follow the recommendation for Mayor and Council to vote to approve the adoption amendment City Building Ordinance making it mandatory that all Contractors/Builders who develop or do construction within the City of Austell jurisdiction provide proof of having obtained the attached Code of Compliance/Performance/Maintenance Bond. The attached documents will be part of tonight's minutes. Seconded by Ms. Reagan. Motion passed (6-0).

14. CITY ATTORNEY – DUPREE, KING, & KIMBROUGH

A. No Report

15. MAYOR'S REPORT

A. CMA MEETING

DATE:

TIME:

LOCATION:

CANCELLED

FEBRUARY 14, 2006

6:30 P.M.

KENNESAW- NEW COMMUNITY CENTER

B. Georgia Power Agreement

Mayor Jerkins recommended approving the Georgia Power Agreement which will extend through 2030.

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Mayor Jerkins stated Georgia Power will help pay for some of the downtown redevelopment such as some of the poles. Ms. Boyd asked if it would be the same percentage the City has been receiving. Mayor Jerkins stated, yes, it is still four (4%) percent.

Ms. Boyd moved to follow the recommendation of Mayor Jerkins to approve and give Mayor Jerkins the authority to sign the documents to extend the Georgia Power Company Franchise contract with the City of Austell. Seconded by Mr. Thomas. Motion passed (6-0).

A. Caraustar

Mayor Jerkins stated the County hasn't contacted me on this, so I am not sure what is happening on this so we need to table this item.

Mr. Thomas moved to follow the recommendation of Mayor Jerkins to table this item. Seconded by Mr. Green. Motion passed (6-0).

16. ADJOURN

Ms. Boyd moved to follow the recommendation of Mayor Jerkins to adjourn. Seconded by Mr. Green. Motion passed (6-0).